

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

ANTHONY DAVIS, Plaintiff,

CASE NUMBER:

**08 C 1817**

V.

ASSIGNED JUDGE:

SAATI AMERICAS, Defendant.

DESIGNATED  
MAGISTRATE JUDGE:

**JUDGE DARRAH  
MAGISTRATE JUDGE KEYS**

TO: (Name and address of Defendant)

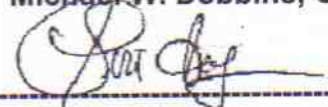
SAATI AMERICAS  
Peter M. Smykowski, Chairman or Chief Executive Officer  
247 Rte 100  
Somers, NY 10589-3214

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

LISA KANE & ASSOCIATES, P.C.  
120 South LaSalle Street, Suite 1420  
Chicago, Illinois 60603  
(312) 606-0383

an answer to the complaint which is herewith served upon you, 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk



(By) DEPUTY CLERK

**March 31, 2008**

Date



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**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER (PRINT)	TITLE

*Check one box below to indicate appropriate method of service*

☐ Served personally upon the defendant. Place where served: \_\_\_\_\_

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

☐ Returned unexecuted: \_\_\_\_\_

☐ Other (specify): \_\_\_\_\_

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_ Date \_\_\_\_\_ Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT  
COUNTY OF NORTHERN DIST. OF IL.

ANTHONY DAVIS

- against-

SAATI AMERICAS

Plaintiff(s)

Defendant(s)

Index No. 08 C 1817

AFFIDAVIT OF SERVICE  
OF:

SUMMONS AND COMPLAINT IN A  
CIVIL ACTION

STATE OF NEW YORK: COUNTY OF WESTCHESTER ss:

JOHN F. BALD

BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY  
TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 04/03/08 at 1344 Hours at C/O PETER M. SMYKOWSKI 247 ROUTE 100 SOMERS, NY 10589  
deponent served the within SUMMONS AND COMPLAINT IN A CIVIL ACTION

SAATI AMERICAS

on therein named,

INDIVIDUAL

A ☐

by delivering a true copy of each to said personally; deponent knew the person so served to be the person described as said person therein.

☐ (S) He identified (her) himself as such.

CORPORATION

B ☐

a (domestic) (foreign) corporation by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be thereof

SUITABLE  
AGE PERSON

C ☒

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is recipient's (actual place of business) (dwelling house) (usual place of abode) within the state.

☒ (S) He identified (her) himself as

PETER M. SMYKOWSKI

AUTHORIZED/CFO of recipient

AFFIXING TO  
DOOR, ETC.

D ☐

by affixing a true copy of each to the door of said premises, which is recipient's (actual place of business) (dwelling house) (usual place of abode) within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there on the dates below:

MAILING  
USE WITH  
C or D

☒

Deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to the above recipient at C/O PETER M. SMYKOWSKI 247 ROUTE 100 SOMERS, NY 10589 and deposited

said wrapper in (a post office) official depository under exclusive care and custody of the United States Postal Service within New York State.

Mailed on 04/04/08 BY FIRST CLASS MAIL

Deponent further states that he describes the person actually served as follows

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
MALE	WHITE	BROWN	50	5'11	185

MILITARY  
SERVICE

☐

Person spoken to was asked whether the recipient(s) was (were) in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient(s) is (are) not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person(s) so served as aforesaid to be the same person(s) mentioned and described as the defendant(s) in this action.

\* MAILED TO THE ABOVE ADDRESS IN AN ENVELOPE MARKED  
PERSONAL & CONFIDENTIAL

USE IN  
NYC CIVIL CT.

☐

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons (es).

Sworn to before  
me on the  
04/04/08

GERI L. ALBERT  
Notary Public, State of New York  
No. 01AL5047399  
Qualified in Westchester County  
Commission Expires July 31, 2011

JOHN F. BALD  
LICENSE No.